

## **REMARKS**

This Application has been carefully reviewed in light of the Final Office Action mailed May 9, 2007. At the time of the Final Office Action, Claims 2, 3, 7, and 15-18 were pending in this Application. Claims 4-6 and 8-14 were previously withdrawn due to an election/restriction requirement. Claim 1 was previously cancelled by Applicants without prejudice. Claims 2, 3, and 7 stand rejected, and Claims 15-18 are objected to. Claims 2, 15, 16, and 17 have been amended. Applicants respectfully request reconsideration and favorable action in this case.

### **PTO Form 892**

Applicants would like to bring to the Examiner's attention that certain claims have been rejected under 35 U.S.C. § 103(a) as being unpatentable in view of in view of U.S. Patent 3,656,769 issued to Jerry G. Jelinek et al. ("Jelinek"); however, this reference has not been identified on a PTO-Form 892, nor was it a reference submitted by Applicants on a PTO-Form 1449. Applicants respectfully request that U.S. Patent 3,656,769 issued to Jerry G. Jelinek et al. ("Jelinek") be listed on a PTO-Form 892 in the next action.

### **Objections under 37 CFR 1.83(a)**

Examiner has objected to the drawings for not showing every feature of the invention specified in the Claims under 37 CFR 1.83(a). Applicants submit an amended Figure showing the prestressing device 12. The specification defines that the prestressing device has a completely flat face corresponding to baseplate 4. The prestressing device 10 shown in the Figure shows such a device with face 11. As disclosed in the alternative embodiment face 11 of prestressing device 11 has a boss 12 having height h. Thus, no new matter has been added to the drawings.

### **Allowable Subject Matter**

Applicants appreciate Examiner's consideration and indication that Claims 15-18 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicants amended independent Claim 1 to include the limitations of allowable claim 15. Claim 15 has been amended to be dependent on Claim 16. Claim 16 which has been indicated allowable has been amended to be in independent

form and now includes all the limitations of former claims 1 and 16. Similarly, Claim 17 which has been indicated allowable has been amended to be in independent form and now includes all the limitations of former claims 1 and 17.

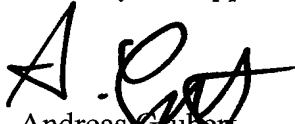
### CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,  
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**APPENDIX**  
**AMENDED FORMAL DRAWINGS**

Procedure for Positioning the Actuating Drive  
in a Fuel Injector and Device for Performing  
the Procedure

Inventor: Wilhelm Frank et al.

Attorney Docket.: 071308.0523

Annotated Sheet 1/1

